

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Establishment of New Account at Bank of America Private
Bank for American Rescue Plan Act Funds)

RESOLUTION NO. 21-147

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the powers "to manage any
2 funds within the exclusive control of the Tohono O'odham Nation . . . and to
3 appropriate these funds for the benefit of the nation and its members" provided
4 that "[a]ll expenditures of these funds shall be pursuant to appropriations or
5 budgets" authorized by resolution or ordinance (Constitution of the Tohono
6 O'odham Nation, Article VI, Section 1(d)(2)); and

7 **WHEREAS,** the Tohono O'odham Nation ("Nation") is set to receive Coronavirus Fiscal
8 Recovery Funds from the United States Treasury ("ARPA Funds") as approved by
9 the American Rescue Plan Act ("ARPA"); and

10 **WHEREAS,** the Nation's Treasurer recommends that the ARPA Funds be separately invested
11 and accounted for in a new bank account established at Bank of America Private
12 Bank after funds are disbursed; and

13 **WHEREAS,** by Resolution No. 91-042, the Legislative Council adopted a Nation's Financial
14 Investment Policy with the primary objective of "making financial investments to
15 conserve [the Nation's] financial assets and maintain their value over time" for
16 the benefit of the Nation's members and by Resolution No. 95-590 approved the
17 Nation's Investment Management Contract with the Bank of America; and

18 **WHEREAS,** the Legislative Council has approved subsequent amendments to the Financial
19 Investment Policy and approved an Investment Policy Statement (Resolutions No.
20 01-213; No. 01-214; No. 08-608; No. 14-198; and No. 15-349); and

21 **WHEREAS,** the Budget and Finance and Investment Committees have reviewed and
22 evaluated the recommendation from the Nation's Treasurer and support
23 establishing a new bank account at Bank of America Private Bank for the ARPA
24 Funds.

25 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council authorizes
26 the establishment of a new account at Bank of America Private Bank for
27 Coronavirus Fiscal Recovery Funds to be received and deposited.

28 **BE IT FINALLY RESOLVED** that Tohono O'odham Legislative Council authorizes the Nation's
29 chairperson to execute any other documents that are reasonably necessary to
30 implement this resolution.

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH day of MAY, 2021 at a meeting at which a quorum was present with a vote of 2,961.9 FOR; -0- AGAINST; [02] NOT VOTING; and 213.8 [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman
11 day of May, 2021

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary
10 day of May, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 11 day of May, 2021 at 2:20 o'clock, p.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

DISAPPROVED

on the 12 day of May, 2021
at 2:25 o'clock, p.m.

Ned Norris, Jr.

NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 12 day of
May, 2021, at 3:10 o'clock, p.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING ESTABLISHMENT OF NEW ACCOUNT AT BANK OF AMERICA PRIVATE BANK FOR AMERICAN RESCUE PLAN ACT FUNDS

Moved: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: MAY 06, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ()	139.65	X			
	2. TIMOTHY L. JOAQUIN ()	139.65	X		X	
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X		X	
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90				X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90				X
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (<i>Absent</i>) (Racheal Vilson-Stoner) (<i>Present</i>)	119.45	X			X
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			
	2. ARTHUR WILSON ()	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			X
TOTAL		3,175.7	2,961.9	-0-	[02]	213.8 [04]